

MAINE STATE LEGISLATURE

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Senate Legislative Record

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HOUSE REPORTS - from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To License Home Building and Improvement Contractors"
H.P. 215 L.D. 272

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-760)** (6 members)

Tabled - March 26, 2010, by Senator **SCHNEIDER** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**

(In House, March 25, 2010, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-760).**)

(In Senate, March 26, 2010, Reports **READ**.)

On motion by Senator **SCHNEIDER** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Require Private Insurance Coverage for Certain Services for Children with Disabilities"

H.P. 313 L.D. 425

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-663)** (10 members)

Minority - **Ought Not To Pass** (3 members)

Tabled - March 26, 2010, by Senator **BOWMAN** of York

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence

(In House, March 25, 2010, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-663).**)

(In Senate, March 26, 2010, Reports **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Bowman.

Senator **BOWMAN:** Thank you, Madame President. This bill, L.D. 425, requires individual group health insurance policies and all HMOs to provide coverage for the critical early intervention services, that is critical meaning birth to 3 is vitally important not only in this bill but in many others that you have heard before. I don't think I need to go into that criticality. This requires that after referral from a primary care provider for children birth to 3 years, if the child has a developmental disability described under the Federal IDEA, which is the Individual With Disabilities Education Act, it limits coverage to \$3,200 per year times three, or \$9,600 at the end of age 3. It shifts funding from MaineCare to insurance premiums, thereby saving state taxpayers some money. The impact on the premium is 18¢ per member per month. Let's take an example; 3 people in the family, 3 times 18 is 54¢ per family per month times 12 is about \$6.50 per family per year. Nine other states have similar laws, including most of the New England states. They are New Hampshire, Massachusetts, Connecticut, and Rhode Island. I would urge you to vote to pass L.D. 425. Thank you.

On motion by Senator **BOWMAN** of York, the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

READ ONCE.

Committee Amendment "A" (H-663) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by the President.

The Chair laid before the Senate the following Tabled and Later (3/25/10) Assigned matter:

Bill "An Act To Strengthen the Ballot Initiative Process"
S.P. 662 L.D. 1730
(C "A" S-443)

Tabled - March 25, 2010, by Senator **COURTNEY** of York

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-443)**

(In Senate, March 23, 2010, **READ A SECOND TIME.**)

On motion by Senator **SULLIVAN** of York, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-443).

On further motion by same Senator, Senate Amendment "B" (S-481) to Committee Amendment "A" (S-443) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Sullivan.

Senator **SULLIVAN:** Thank you, Madame President. Men and women of the Senate, this removes the fiscal note to the bill. It is something we thought we had done but we actually had done the exact opposite. It is only for those petitions that are questionable by the city or town clerk that's looking at it that they needed to be copied. It would avoid some of the things we've had happen before in Leeds and other places. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you, Madame President. This language, as currently in this amendment, was in a previous amendment that I had, so I would hope that the chamber would support it without too long of a debate and roll call even. I just wanted to say that I'm in support of the amendment.

On motion by Senator **SULLIVAN** of York, Senate Amendment "B" (S-481) to Committee Amendment "A" (S-443) **ADOPTED**.

On motion by Senator **TRAHAN** of Lincoln, Senate Amendment "C" (S-487) to Committee Amendment "A" (S-443) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you, Madame President. Ladies and gentlemen of the Senate, prior to the debate that we are having today I purposed an amendment to this legislation. I hoped to improve it. You remember my testimony from the debate earlier. I just have some concerns with certain elements of the amendment. I presented that amendment to leadership on the other side of the aisle and there was some confusion on what was in that amendment. What I did was, in order to get rid of that confusion, I separated out the things that were contentious with the things that we seemed to have in agreement. That is the amendment that is before you. What this amendment would do, and I think why it is important, is that as we adopt the unique identifier for each petition I think that may be helpful to both the Secretary of State and people on both sides of these issues. Unfortunately, the way that the bill is drafted it would require a unique identifier on both the top and bottom of every page of a petition. A petition could be ten pages long and that wouldn't be unusual. It would require a signature gatherer to put a unique identifier at the top and bottom of, let's say, a ten page document twenty times. They may have 100 petitions. That would mean that they would have to do this 2,000 times. It would be very cumbersome. I don't think it's necessary. I think the unique identifier should be only on the pages that hold signatures and that is what this amendment would do. I don't believe we need a unique identifier on a number of pages of nothing but the bill itself or the explanation of the bill. There is no real reason to do that. That is one thing that it would do. The second thing that it would do is, under this current amendment you would have to have your petitions notarized before turning them in to be certified. This

would just require the registrar or the clerk, if it hasn't been done, to give it back to the people when they turn it in. That way it wouldn't put any responsibility on the clerks to do anything other than that. I believe that these two items were agreeable and were oversights, at least that was the way it was described by leadership and the chair of the committee. I'm hoping that we can support this amendment.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Sullivan.

Senator **SULLIVAN:** Thank you, Madame President. It is true that originally, through some confusion and the heat of the time, these two things were agreed with but there were other things that totally were out of the issue of fraud and we did not want them. With the understanding of the sponsor of this one, I would ask this Body to accept this amendment and move on.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Nutting.

Senator **NUTTING:** Thank you, Madame President. Permission to pose a question through the Chair?

THE PRESIDENT: The Senator may pose his question.

Senator **NUTTING:** Thank you, Madame President. When I read the front of S-487 it looks agreeable to me as a sponsor of the bill. However, my question is, when I read, as I just did a few seconds ago, the fiscal note on page 3 the fiscal note says that this amendment removes the requirement for the businesses that are running a paid signature gathering effort to register with the Secretary of State. That wasn't agreed to. Maybe I'm reading this wrong, but my question I'm posing is what is the real meaning of what is stated in this fiscal note section? That's very alarming to me. Thank you.

THE PRESIDENT: The Senator from Androscoggin, Senator Nutting poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you, Madame President. Certainly that is not my intent. If you would just table this for a few minutes I will make sure.

On motion by Senator **BARTLETT** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **TRAHAN** of Lincoln to **ADOPT** Senate Amendment "C" (S-487) to Committee Amendment "A" (S-443).

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-Concurrent Matter